

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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WILLIAM DEREK BOWEN, et al.,

20-cv-9510 (PKC)

Plaintiffs,

ORDER

-against-

CERAMIRACLE HOLDINGS PTE. LTD., et al.

Defendants.

-----x
CASTEL, District Judge:

Federal courts are courts of limited jurisdiction. See, e.g., Gunn v. Minton, 568 U.S. 251, 256 (2013). “An argument that subject-matter jurisdiction is lacking may be raised at any time, by any party, or even sua sponte by the court.” Presidential Gardens Assocs. v. U.S. ex rel. Sec'y of Hous. & Urban Dev., 175 F.3d 132, 140 (2d Cir. 1999).

“[F]or purposes of diversity jurisdiction, a corporation is deemed to be a citizen of both the state of its incorporation and the state where it has its principal place of business.” Durant, Nichols, Houston, Hodgson & Cortese-Costa P.C. v. Dupont, 565 F.3d 56, 59 (2d Cir. 2009) (citing 28 U.S.C. § 1332(c)). The Complaint alleges that defendant Ceramiracle, Inc. is incorporated in California but does not allege its principal place of business. (Compl’t ¶ 10.)

Within fourteen days of this Order, the plaintiffs shall amend their complaint to allege the principal place of business of Ceramiracle, Inc., or the action will be dismissed for lack of subject matter jurisdiction.

SO ORDERED.



P. Kevin Castel
United States District Judge

Dated: New York, New York
November 16, 2020